



Pre-Amendment
02-28-02
PATENT

Customer No. 22,852
Attorney Docket No. 7738.147

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Grant E. DUBOIS et al.) Group Art Unit: 1761
Serial No.: 09/838,809) Examiner: unassigned
Filed: April 20, 2001)
For: NON CALORIC FROZEN)
CARBONATED BEVERAGE)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SUPPLEMENTAL PRELIMINARY AMENDMENT

Prior to the examination on the merits of the above application, please amend this application, without prejudice, as follows:

IN THE CLAIMS:

40. (Amended) The method of claim 37, wherein the freezing point depressant comprises a Sugar MNS selected from at least one of erythritol, isomalt, maltitol, lactitol, or fructo-oligosaccharide sweetener.

41. (Amended) The method of claim 38, wherein the freezing point depressant comprises a Sugar MNS selected from at least one of erythritol, isomalt, maltitol, lactitol, or fructo-oligosaccharide sweetener.

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02 FC:103

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